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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/615,986	07/10/2003	Louis B. Rosenberg	IMMR107/03US	1236

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EXAMINER	
ABDULSELAM, ABBAS I	

ART UNIT	PAPER NUMBER
2629	

DATE MAILED: 07/19/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

/

Office Action Summary	Application No.	Applicant(s)	
	10/615,986	ROSENBERG ET AL.	
	Examiner	Art Unit	
	Abbas I. Abdulselam	2629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *09 June 2006*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *65-71* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *65-71* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 06/09/06 has been entered.

Response to Arguments

2. Applicant's arguments filed on 04/17/06 have been fully considered but they are not persuasive.

Applicant argues that the cited reference, Fujita et al. (USPN 6118435) does not teach a claim limitation as amended, the limitation stating direct coupling of the piezoelectric actuator to the touch screen

However, as shown in the art rejection below, Fujita teaches that a driving portion 5 may be provided at only one place or at more than one place on the peripheral portion of a touch panel 3 (col. 5, lines 56-59). Hence, Based on Fujita's teaching described above, it would have obvious to one of ordinary skill in the art to utilize Fujita's driving portion 5 at the desired place for the purpose of driving a touch panel (3) into displacement as taught by Fujita.

In addition, Fujita teaches driving portion (5) and touch panel (3) as illustrated in Fig. 1, and the location of driving portion (5) with respect to a touch panel (3) is of no significant

importance (shifting location of a part to a different position constitutes no invention since the operation of the device would not thereby be modified, see In re Japikse, 86 USPQ 70 (CCPA 1950)).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 65-71 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fujita et al. (USPN 6118435).

Regarding claim 65, Fujita teaches a display (6) and a touch panel (3) disposed above and close to the display screen. Fujita teaches that disposed under the touch panel (3) and the touch-panel support plate (4) is at least one driving portion (5) for mechanically driving the touch panel (3) and the like thereby to give a tactile feedback, such as vibration, to an operator of the touch panel (3). Fujita teaches a press detection switch (6) which is provided between the touch panel (3) and the touch-panel support plate (4) there below for detection of a press on the touch panel 3 at a pressure greater than a predetermined level Pt and for output of a press detection signal SS (as shown in FIG. 2). Fujita further teaches that the press detection switch 6 may be provided at one place or at more than one places of the peripheral portion of the touch panel (3), and may employ a contact type switch, such as a contact switch, or a non-contact type switch, such as a

photoelectric switch. Fujita teaches that the press detection switch may also employ a pressure sensitive switch composed of a piezoelectric element (col. 4, lines 1-50, Fig. 1 (3, 6) and Fig. 2 (SS)). Fujita also teaches that the touch-panel support plate 4 is of a frame or plate like construction and is transparent or translucent in nature (col. 5, lines 48-56).

However, Fujita does not specifically teach, "outputting haptic force to the touch screen in response to the first signal".

Fujita on the other hand teaches an operated-position detecting circuit (10), along with inputting of the driving signal DS which actuates the driving portion (5) to drive the touch panel (3) into displacement whereby the operator is provided with the tactile feedback. See col. 9, lines 25-40.

It would have been obvious to utilize Fujita's operated position detecting circuit (10) as configured in Fig. 2 for the purpose of achieving the desired output force to the contact surface.

Regarding claim 66, Fujita teaches that the press detection switch 6 may be provided at one place or at more than one places of the peripheral portion of the touch panel (3), and may employ a contact type switch, such as a contact switch, or a non-contact type and could be piezoelectric in type (col. 4, lines 28-50). Fujita also teaches a touch panel 3 with a touch panel support plate 4, and disposed under both is a driving portion 5, which is used for mechanically driving the touch panel 3 thereby to give a tactile feedback (col. 4, lines 12-18).

Regarding claims 67-68, Fujita teaches The display unit with touch panel comprising a display body having a display screen for displaying images such as characters, patterns, symbols and the like; (col. 2, lines 37-52). Fujita also teaches an operated-position detecting circuit (10), along with inputting of the driving signal DS which actuates the driving portion (5) to drive the touch panel (3) into displacement whereby the operator is provided with the tactile feedback. See col. 9, lines 25-40.

Regarding claims 69-71, Fujita teaches the use of an image data output device such a computer (col. 1, lines 23-24), and discloses that the touch panel (3) is supported by a touch-panel support plate (4), which is formed into a frame like structure (col. 4, lines 1-18). Fujita also teaches that the press detection switch may also employ a pressure sensitive switch composed of a piezoelectric element (col. 4, lines 1-50, Fig. 1 (3, 6) and Fig. 2 (SS)).

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following art is cited for further reference.

U. S. Pat No. 5,889,236 to Gillespie et al.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Abbas I. Abdulselam whose telephone number is (571) 272-7685. The examiner can normally be reached on Monday through Friday from 9:00 A.M. to 5:30 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Hjerpe can be reached on (571) 272-7691. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Abbas Abdulselam

Examiner

Art Unit 2629

July 12, 2006

RICHARD HJERPE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600